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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,157	12/11/2001	Christopher John Kimble	ROC920010264US1	6145
7590	12/15/2004			
Gero G. McClellan Moser, Patterson & Sheridan, L.L.P. Suite 1500 3040 Post Oak Boulevard Houston, TX 77056-6582			EXAMINER EBRAHIMI DEHKORDY, SAEID	
			ART UNIT 2626	PAPER NUMBER

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/015,157	Applicant(s) KIMBLE, CHRISTOPHER JOHN	
	Examiner Saeid Ebrahimi-dehKordy	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/21/2002</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1-21 rejected under 35 U.S.C. 103(a) as being unpatentable over Kenney et al (U.S. patent 6,748,471) in view of Irons (U.S. patent 6,192,165)

Regarding claim 1 and 11 Kenney et al discloses: A method for affixing labels on a printed output medium for separating print jobs (please note column 7 lines 50-60 where each document assigned a file number) comprising: spooling at least one print file to a print queue (please note Fig.9 the spooling server 50 where the print jobs are being spooled to be sent to the printer). However Kenney et al do not disclose: executing a print label program for identifying a first page of each print job in the print queue; generating an identification label for each print job; and automatically affixing a label on the first page of each print job. On the other hand Irons et al discloses: executing a print label program for identifying a first page of each print job in the print queue (please note column 8 lines 1-8 where the first page or any of the pages could receive labels) generating an identification label for each print job (please note column 7 lines 50-57) and automatically affixing a label on the first page of each print job (please note column 7 lines 65-67). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Irons's invention according to

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Keeney et al, where Keeney et al teach the way the data or document received from the clients would be separated and labeled on the first page of the document before getting printed, this would be used in order to make the labeling or marking of the document of print job more efficient and robots).

Regarding claim 2 Irons discloses: The method of claim 1, wherein the affixing is performed contemporaneously as the first page of each print job prints (please note column 7 lines 65-67 and column 8 lines 1-8).

Regarding claim 3 Irons discloses: The method of claim 1, further comprising stacking each printed print job having the label affixed thereon in sequential order of printing (please note column 8 lines 1-15).

Regarding claim 4 Keeney et al disclose: The method of claim 1, wherein the generating comprises: identifying print source information; and printing the print source information on the labels prior to the affixing step (please note Fig.9 column 14 lines 46-67)

Regarding claim 5 Keeney et al disclose: The method of claim 4, wherein the identifying print source information comprises information selected from the group consisting of name of the person requesting the print job a node identifier, a workstation, date, time, file name, telephone extension, symbols, graphical images, and color codes (please note column 13 lines 35-43).

Regarding claim 6 Irons discloses: The method of claim 1, wherein the affixing step further comprises attaching the label of each print job along a margin of the first page of the printed output medium (please note column 7 lines 65-67 and column 8 lines 1-8).

Regarding claim 7 Irons discloses: The method of claim 6, wherein the attaching step further comprises aligning the label of each print job in a same region along the margin of each first page (please note column 7 lines 50-67).

Regarding claim 8 Irons discloses: The method of claim 6, wherein the attaching step further comprises staggering the label of each print along the margin of each first page (please note column 6 lines 55-65).

Regarding claim 9 Irons discloses: The method of claim 1, wherein affixing comprises attaching the label on a margin of the first page of each print job so that a portion of the label extends over an edge of the respective first page (please note column 8 lines 1-8).

Regarding claim 10 Irons discloses: The method of claim 1, wherein the label has an adhesive backing (please note column 8 lines 1-6).

Regarding claim 12 Irons discloses: The computer readable medium of claim 11, wherein the affixing is performed contemporaneously as the first page of each print job prints (please note column 7 lines 65-67 and column 8 lines 1-8).

Regarding claim 13 Irons discloses: The computer readable medium of claim 11, further comprising stacking each printed print job having the label affixed thereon in sequential order of printing (please note column 8 lines 1-15).

Regarding claim 14 Keeney et al discloses: The computer readable medium of claim 11, wherein the operation further comprises generating the identification

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information and transmitting the identification information to the label affixing device (please note Fig.9 column 14 lines 46-67).

Regarding claim 15 Keeney et al disclose: The computer readable medium of claim 14, wherein the generating comprises: identifying print source information; and printing the print source information on the labels prior to the affixing step (please note Fig.9 column 14 lines 46-67).

Regarding claim 16 Keeney et al discloses: The computer readable medium of claim 15, wherein the identifying print source information comprises information selected from the group consisting of name of the person requesting the print job, a node identifier, a workstation, date, time, file name, telephone extension, symbols, graphical images, and color codes (please note column 13 lines 35-43).

Regarding claim 17 Irons discloses: The computer readable medium of claim 11, wherein the affixing step further comprises attaching the label of each print job along a margin of the first page of the printed output medium (please note column 7 lines 65-67 and column 8 lines 1-8).

Regarding claim 18 Irons discloses: The computer readable medium of claim 17, wherein the attaching step further comprises aligning the label of each print job in a same region along the margin of each first page (please note column 7 lines 50-67).

Regarding claim 19 Irons discloses: The computer readable medium of claim 17, wherein the attaching step further comprises staggering the label of each print job along the margin of each first page (please note column 6 lines 55-65).

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Regarding claim 20 Irons discloses: The computer readable medium of claim 11, wherein affixing comprises attaching the label on a margin of the first page of each print job so that a portion of the label extends over an edge of the respective first page (please note column 8 lines 1-8).

Regarding claim 21 Irons discloses: The computer readable medium of claim 11, wherein the label has an adhesive backing (please note column 8 lines 1-6).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 22-36 are rejected under 35 U.S.C. 102(b) as being anticipated by Irons (U.S. patent 6,192,165)

Regarding claim 22 Irons discloses: A system for affixing labels on printed output medium for separating print jobs (please note column 7 lines 50-67 where the documents are separated by the file name and other information which is attached to the first page) comprising: at least one computer device (please note Fig.1 item 200) a printing device coupled to the at least one computer device (please note printer 202 on Fig.1) and a label affixing device coupled to the printing device for affixing labels on the printed output medium (please note Fig.1 item 202 which acts as both printer and label affixing device, column 6 lines 41-67).

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Regarding claim 23 Irons discloses: The system of claim 22, wherein the label affixing device affixes a label on a first sheet of a print job contemporaneously as the first sheet is printing (please note column 7 lines 65-67 and column 8 lines 1-8).

Regarding claim 24 Irons discloses: The system of claim 22, wherein the label affixing device affixes a label on a first sheet of a print job after the first sheet is printing (please note column 6 lines 55-65).

Regarding claim 25 Irons discloses: The system of claim 22, wherein each label is affixed along a margin of the first sheet of the print job (please note column 6 lines 55-65).

Regarding claim 26 Irons discloses: The system of claim 25, wherein a portion of the label extends over an edge of the respective first page (please note column 8 lines 1-8).

Regarding claim 27 Irons discloses: A printing device (please note Fig.1 item 202) comprising a label application device for affixing labels on a printed output medium (please note column 6 lines 55-60) the label application device comprising: a label print head disposed proximate the printed output medium (please note column 6 lines 62-67) a label mounting member disposed proximate the label print head and adapted to support a supply of labels (please note column 10 lines 50-67 and column 11 lines 1-3) and a controller electrically coupled to the label print head and configured to control actuation and printing by the label print head (please note Fig.2 item 210 the processor that is coupled with the printer 202 that produces the labels column 8 lines 62-67 and column 9 lines 1-4).

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Regarding claim 28 Irons discloses: The printing device of claim 27, wherein the label mounting member is adapted to support a roll of labels (please note column 6 lines 55-67).

Regarding claim 29 Irons discloses: The printing device of claim 27, wherein the label print head moves substantially perpendicular to the printed output medium to print identifying information and affix one of the plurality of labels onto the printed output medium (please note column 6 lines 34-67).

Regarding claim 30 Irons discloses: The printing device of claim 27, wherein the label print head further comprises a label separator (please note column 8 lines 1-8 as the labels could be separated in order to be installed on every page if necessary).

Regarding claim 31 Irons discloses: The printing device of claim 27, wherein the label print head is slidably coupled to at least one track (please note column 6 lines 55-60).

Regarding claim 32 Irons discloses: The printing device of claim 27, further comprising a network interface configured to receive print requests from a plurality of computers (please note column 7 lines 37-48).

Regarding claim 33 Irons discloses: The printing device of claim 27, further comprising a network interface configured for connection with a network server (please note column 14 lines 58-65).

Regarding claim 34 Irons discloses: The printing device of claim 27, wherein the printed output medium is selected from at least one of letter size paper legal size paper, and A4 size paper (please note column 10 lines 58-67).

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Regarding claim 35 Irons discloses: The printing device of claim 27, wherein the printing device is one of an ink jet printer, a bubble jet printer, a laser printer, and a copier (please note column 6 lines 55-65).

Regarding claim 36 Irons discloses: The printing device of claim 27, wherein the label print head further comprises a piston disposed proximate the label print head to affix one of the plurality of labels onto the printed output medium (please note column 7 lines 65-67 and column 8 lines 1-8).

Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or **"DRAFT"**)

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Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
December 8, 2004

KA Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER